

*JFW*

**PATENTS**

**UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Application:</b>	10/777,708	<b>Examiner:</b>	Glenn K. Dawson
<b>Filed:</b>	February 12, 2004	<b>Art Unit:</b>	3731
<b>Inventor:</b>	Voegele et al.	<b>Atty Ref.:</b>	END5017USNP
<b>Title:</b>	MULTIFUNCTIONAL SURGICAL INSTRUMENT		

**TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following papers for the above-referenced patent application:

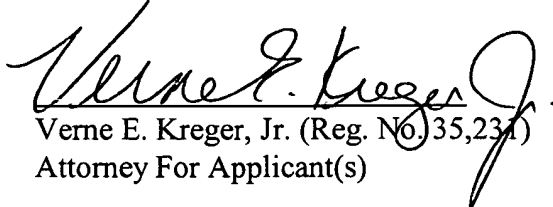
1. IDS, 1449, MPEP 609(d), Search Reports
2. Cited non-US patent art
3. Self-addressed postage prepaid return receipt postcard.

The fee has been calculated as shown below: ,

	Number of Claims	Highest Previous Paid For	Extra Claims	Rate	Fee (Dollars)
Total Claims			0	x \$50 =	0
Independent Claims			0	x \$200 =	0
					0
Submission of IDS after Office Action					\$180.00
					0
<b>TOTAL FEE DUE</b>					<b>\$180.00</b>

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 10-0750/END5017USNP/VEK, including any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18.

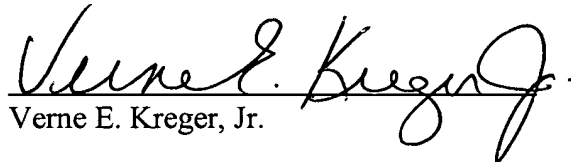
Respectfully submitted,

  
Verne E. Kreger, Jr. (Reg. No. 35,231)  
Attorney For Applicant(s)

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933  
Tel: (513) 337-3295

**Certificate of Mailing**

The undersigned certifies that this correspondence was deposited with the U.S. Postal Service with sufficient postage as first class mail and addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450" on April 18, 2006.

  
Verne E. Kreger, Jr.



Docket No. END5017USNP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : James W. Voegele, et al.  
Serial No. : 10/777,708 Art Unit: 3731  
Filed : February 12, 2004 Examiner: Glenn K. Dawson  
Title : MULTIFUNCTIONAL SURGICAL INSTRUMENT

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

April 18, 2006  
(Date of Deposit)

Verne E. Kreger, Jr.  
(Name of applicant, assignee, or Registered Representative)

*Verne E. Kreger, Jr.*  
(Signature)

April 18, 2006  
(Date of Signature)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

04/24/2006 EAYALEW1 00000042 100750 10777708

01 FC:1806 180.00 DA

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

☒ Please charge Deposit Account No. 10-0750/END5017USNP/VEK the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under

§ 1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with § 1.97(e) as set forth below and the fee of \$180.00 as set forth in § 1.17(p).

☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT U.S. patents and published applications.

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ For listed references not in the English language, a translation or abstract has been provided.

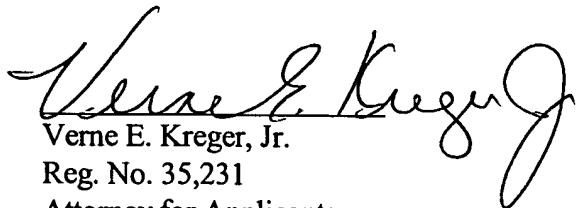
☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END5017USNP/VEK.

Respectfully submitted,

A handwritten signature in cursive script, reading "Verne E. Kreger, Jr.", written in black ink.

Verne E. Kreger, Jr.  
Reg. No. 35,231  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3295  
DATED: April 18, 2006



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 4

<b>Application Number</b>	10/777,708
<b>Filing Date</b>	February 12, 2004
<b>First Named Inventor</b>	James W. Voegelé
<b>Group Art Unit</b>	3731
<b>Examiner Name</b>	Glenn K. Dawson
<b>Attorney Docket Number</b>	END5017USNP

## **U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		2002/0069484	A1	Creel	06-13-2002	ALL
		2003/0208100	A1	Levy	11-06-2003	ALL
		2003/0220542	A1	Belson et al.	11-27-2003	ALL
		2003/125,629	A1	Ustuner E. Tuncay	07-03-2003	ALL
		2004/0092843	A1	Kreiser et al.	05-13-2004	ALL
		2004/0176737	A1	Henley et al.	09-09-2004	ALL
		2004/0193211	A1	Voegelé et al.	09-30-2004	ALL
		2004/0199204	A1	Voegelé et al.	10-07-2004	ALL
		2004/0225217	A1	Voegelé et al.	11-11-2004	ALL
		2004/0231167	A1	Miklos	11-25-2004	ALL
		2004/0260281	A1	Baxter, III et al.	12-23-2004	ALL
		2004/0267133	A1	Podany	12-30-2004	ALL
		2005/0251093	A1	Abou-Kansoul	11-10-2005	ALL
		203,978	A	Woods	05-21-1878	ALL

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		DE	20315652	U1	Aesculap AG & Co.	01-22-2004	ALL	X
		FR	2,188,486		Ansquer	01-18-1974	ALL	X
		JP	11 104132	A	Fuji Photo Optical Co Ltd.	04-20-1999	ALL (Abstract)	
		WO	98/29032	A	Biosense Inc; Ben-Haim	07-09-1998	ALL	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary) Sheet 2 of 4	<b>Application Number</b>	10/777,708
	<b>Filing Date</b>	February 12, 2004
	<b>First Named Inventor</b>	James W. Voegelé
	<b>Group Art Unit</b>	3731
	<b>Examiner Name</b>	Glenn K. Dawson
	<b>Attorney Docket Number</b>	END5017USNP

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		809,119	A	Leuchs	01-02-1906	
		838,750	A	Rindsberg	12-18-1906	
		1,117,740	A	Witt	11-17-1914	
		1,190,052	A	Welander	07-04-1916	
		1,675,240	A	Asher	06-26-1928	
		1,721,789	A	Phelps	07-23-1929	
		2,151,846	A	Greneker	03-28-1939	
		2,418,638	A	Hoover	04-08-1947	
		2,643,908	A	Grinnell	06-30-1953	
		2,781,760	A	Baer	02-19-1957	
		2,811,969	A	Shubert	11-05-1957	
		2,880,724	A	Velarde	04-07-1959	
		3,587,591	A	Satterwhite	06-28-1971	
		3,643,651	A	Cuadros	02-22-1972	
		3,687,139	A	Poirier	08-29-1972	
		3,735,426	A	Horvath	05-29-1973	ALL
		3,735,760	A	Vreeland, Jr.	05-29-1973	
		3,741,211	A	Vreeland, Jr.	06-26-1973	
		3,862,507	A	Martyn	01-28-1975	ALL

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



<p>Substitute for form 1449A/PTO</p> <h2 style="text-align: center; margin: 10px 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; font-size: small;">(use as many sheets as necessary) Sheet 3 of 4</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px 5px;"><i>Application Number</i></td><td style="padding: 2px 5px;">10/777,708</td></tr> <tr><td style="padding: 2px 5px;"><i>Filing Date</i></td><td style="padding: 2px 5px;">February 12, 2004</td></tr> <tr><td style="padding: 2px 5px;"><i>First Named Inventor</i></td><td style="padding: 2px 5px;">James W. Voegele</td></tr> <tr><td style="padding: 2px 5px;"><i>Group Art Unit</i></td><td style="padding: 2px 5px;">3731</td></tr> <tr><td style="padding: 2px 5px;"><i>Examiner Name</i></td><td style="padding: 2px 5px;">Glenn K. Dawson</td></tr> <tr><td style="padding: 2px 5px;"><i>Attorney Docket Number</i></td><td style="padding: 2px 5px;">END5017USNP</td></tr> </table>	<i>Application Number</i>	10/777,708	<i>Filing Date</i>	February 12, 2004	<i>First Named Inventor</i>	James W. Voegele	<i>Group Art Unit</i>	3731	<i>Examiner Name</i>	Glenn K. Dawson	<i>Attorney Docket Number</i>	END5017USNP
<i>Application Number</i>	10/777,708												
<i>Filing Date</i>	February 12, 2004												
<i>First Named Inventor</i>	James W. Voegele												
<i>Group Art Unit</i>	3731												
<i>Examiner Name</i>	Glenn K. Dawson												
<i>Attorney Docket Number</i>	END5017USNP												

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		3,749,099	A	Cotey	07-31-1973	
		4,177,698	A	Greneker	12-11-1979	
		4,545, 386	A	Hetz et al.	10-08-1985	
		4,726,371	A	Gibbens	02-23-1988	
		4,825,872	A	Tan et al.	05-02-1989	
		4,869,260	A	Young, et al.	09-26-1989	ALL
		4,991,592	A	Christ	02-12-1991	
		5,079,629	A	Oz	01-07-1992	
		5,088,500	A	Wedel et al.	02-18-1992	
		5,163,600	A	Barbarich et al.	11-17-1992	
		5,182,972	A	Skaleski	02-02-1993	
		5,203,767	A	Cloyd	04-20-1993	ALL
		5,220,926	A	Jones	06-22-1993	
		5,284,147	A	Hanaoka, et al.	02-08-1994	ALL
		5,357,680	A	Monistere	10-25-1994	
		5,441,059	A	Dannan	08-15-1995	
		5,450,293	A	Hoffman	09-12-1995	
		5,507,041	A	Wright	04-16-1996	
		5,522,821	A	Brown	06-04-1996	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 4 of 4

<b>Application Number</b>	10/777,708
<b>Filing Date</b>	February 12, 2004
<b>First Named Inventor</b>	James W. Voegelé
<b>Group Art Unit</b>	3731
<b>Examiner Name</b>	Glenn K. Dawson
<b>Attorney Docket Number</b>	END5017USNP

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,582,620	A	Hirsch	12-10-1996	
		5,598,846	A	Peszynski	02-04-1997	
		5,693,041	A	Murphy-Chutorian	12-02-1997	
		5,752,517	A	Harman et al.	05-19-1998	
		5,792,059	A	Furia et al.	08-11-1998	
		5,895,871	A	Patton, et al.	04-20-1999	ALL
		5,931,816	A	Novinkov	08-03-1999	
		5,986,446	A	Williamson	11-16-1999	
		6,029,530	A	Patton et al.	02-29-2000	ALL
		6,159,200	A	Vendura, et al.	12-12-2000	ALL
		6,332,888	B1	Levy et al.	12-25-2001	
		6,475,135	B1	Levy	11-05-2002	
		6,735,470	B2	Henley et al.	05-11-2004	
		6,746,402	B2	Ustuner	06-08-2004	
		6,792,306	B2	Henley et al.	09-14-2004	

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

